

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARLA RONDON,

Plaintiff,

-v-

NATIONAL RAILROAD PASSENGER
CORPORATION, *d/b/a* AMTRAK *et al.*,

Defendants.

25 Civ. 1214

ORDER

PAUL A. ENGELMAYER, District Judge:

On January 23, 2025, plaintiff Carla Rondon filed this case in state court, *see* Dkt. 1-1, and on February 11, 2025, defendant Amtrak removed the case to this Court, *see* Dkt. 1. On April 2, 2025, the Court held an initial conference with the parties and, by separate order, set a briefing schedule for jurisdictional discovery on the issue whether defendant National Railroad Passenger Corporation (d/b/a “Amtrak”) is responsible for the area in which the alleged slip-and-fall incident took place, and thus a proper defendant. On April 30, 2025, Amtrak filed a letter-motion and several exhibits attesting to the fact that “Amtrak does not have any ownership, possession and/or responsibility for maintaining the sidewalk area in question,” and requesting that the Court dismiss Amtrak from the case and remand the action to state court. Dkt. 13. Later that day, the Court memo-endorsed the letter and stated that, to the extent the letter-motion is opposed, plaintiff is to file an opposition no later than March 7, 2025. Dkt. 14. No opposition was filed.

The Court hereby dismisses Amtrak from the case based on the unopposed representations made in its letter-motion as to its lack of involvement in the matter. As reflected in the documents submitted in connection with its motion, Madison Square Garden Center, Inc.

(“MSGC”) took possession of rights, title, and interest for the relevant sidewalk area pursuant to a lease agreement signed in 1963. *See* Dkt. 13, Ex. 3. Because Amtrak’s presence in the case was the sole basis upon which federal-court jurisdiction was based, *see* Dkt. 1 (citing 28 U.S.C. § 1349), the Court remands the case to the New York Supreme Court, New York County, for lack of subject-matter jurisdiction, 28 U.S.C. § 1331.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: July 21, 2025
New York, New York